

Dublin, CA

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

PRISON HEALTH SERVICES, INC.

Employer

and

Case 32-RC-5675

NATIONAL UNION OF HEALTHCARE
WORKERS

Petitioner

DECISION AND CERTIFICATION OF REPRESENTATIVE

The National Labor Relations Board has considered objections and challenged ballots in a second election held November 30, 2010, and the Regional Director's report recommending disposition of them. The election was conducted pursuant to a Stipulated Election Agreement. The revised tally of ballots shows 59 ballots cast for the Petitioner, 62 ballots cast for the Intervenor,¹ with 1 vote cast for neither participating labor organization. There was 1 challenged ballot, an insufficient number to affect the results.²

No exceptions have been filed to the Regional Director's report within the time provided. Accordingly, the Board adopts the Regional Director's findings and recommendations, and finds that a certification of representative should be issued.

¹ SEIU-UHW (Service Employees International Union, United Healthcare Workers–West).

² A majority of the professional employees in Voting Group B elected to be included in the same bargaining unit as the non-professional employees in Voting Group A. Accordingly, the ballots of both voting groups were pooled and tallied.

CERTIFICATION OF REPRESENTATIVE

IT IS CERTIFIED that a majority of the valid ballots have been cast for SEIU-UHW (Service Employees International Union, United Healthcare Workers – West) and that it is the exclusive collective-bargaining representative of the employees in the following appropriate unit:

VOTING UNIT A: All full-time and regular part-time licensed psychiatric technicians, health educators, licensed vocational nurses, medical records technicians, dental assistants, perinatal coordinators, lab technicians, medical assistants and clerical employees employed by the Employer and performing work at the Glenn Dyer Detention Facility and the Santa Rita jail, or any other detention facility in Alameda County where the Employer is providing services under the same contract; excluding all other employees, confidential employees, guards, and supervisors as defined in the Act.

VOTE UNIT B: (professional employees) All full-time and regular part-time registered nurses, case workers, physician assistants, nurse practitioners, licensed clinical social workers, marriage/family/child counselor, and occupational therapists employed by the Employer and performing work at the Glenn Dyer Detention Facility and the Santa Rita jail, or any other detention facility in Alameda County where the Employer is providing services under the same contract; excluding all other employees, confidential employees, guards, and supervisors as defined in the Act.

Dated, Washington, D.C., April 19, 2011.

By direction of the Board:

Henry S. Breiteneicher

Associate Executive Secretary